

REMARKS

For purposes of expediting prosecution, claim 1 is amended to include the limitations of allowable claim 2; claim 6, which depended directly from claim 1 and was deemed allowable, is amended to include the limitations of base claim 1; independent claim 11 is amended to include the limitations of allowable claim 12; claim 16, which depended directly from claim 11 and was deemed allowable, is amended to include the limitations of base claim 11; dependent claims 3, 4, 5, 7, 8, 10, 13, 14, 15, 17, 18, and 20 are amended to correct claim dependencies; and independent claim 21 is amended to recite a processor and to include limitations similar to those of allowable claim 6.

Claims 1, 3-11, and 13-21 are pending in this application. Reconsideration and allowance of the application are respectfully requested. No new search should be required since the amendments simply combine limitations of claims which were deemed allowable.

Patentable subject matter

Claim 21 is understood to be directed to statutory subject matter of 35 USC §101 and the rejection is respectfully traversed. However, the rejection is moot in view of the amendment to claim 21, which now recites a processor, with support provided by the example embodiment shown in FIG. 4, 404 and described in the accompanying description.


Non-obviousness

The rejections of claims 1, 8-11 and 18-21 under 35 USC §103(a) over "Aoshima" (U.S. Patent No. 5,774,718 to Aoshima et al.) in view of "Ballantyne" (U.S. Patent Pub. 2002/0078121 to Ballantyne); of claims 7 and 17 over the Aoshima-Ballantyne combination and further in view of "Xu" ("Dynamic instrumentation of threaded applications", ACM, 1999, pages 49-59 to Xu et al.) are respectfully traversed for the reasons set forth in the previous responses. However, the rejections are moot in view of the amendments to the claims and should be withdrawn.

Withdrawal of the rejections and reconsideration of the claims are respectfully requested in view of the remarks set forth above. No extension of time is believed to be necessary for consideration of this response. However, if an extension of time is required, please consider this a petition for a sufficient number of months for consideration of this response. If there are any additional fees in connection with this response, please charge Deposit Account No. 50-0996 (HPCO.153PA).

Respectfully submitted,

CRAWFORD MAUNU PLLC
1150 Northland Drive, Suite 100
Saint Paul, MN 55120
(651) 259-2301

By: 
Name: LeRoy D. Maunu
Reg. No.: 35,274